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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of decision: 22.03.2024

+ **W.P.(C) 4493/2024 & CM APPL. 18375/2024**

SHAMBHAVI SHARMA

..... PETITIONER

Through: Mr Mohit Mathur, Senior Advocate
with Mr Sanjay Dewan, Mr Sushant
Bali, Mr Abhilash Mathur, Mr Harsh
Guatam, Mr Aayush Dewar, Mr
Anish Dewan and Mr Mayank
Sharma, Advocates.

versus

HON'BLE HIGH COURT OF DELHI
(THROUGH ITS REGISTRAR GENERAL) RESPONDENT

Through: Ms Padam Priya, Advocate.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE AMIT BANSAL

[Physical Hearing/Hybrid Hearing (as per request)]

RAJIV SHAKDHER, J. (ORAL)

CM. APPL. 18376/2024

1. Allowed, subject to just exceptions.

W.P.(C) 4493/2024 & CM APPL. 18375/2024 *[Application filed on behalf
of the petitioner seeking interim relief]*

2. Issue notice.

2.1. Ms Padam Priya, learned counsel, accepts notice on behalf of the
respondent.

3. Ms Priya, on instructions, says that a counter affidavit need not be
filed.

4. Hence, at the request of the counsel for the parties, the petition is



taken up for hearing and final disposal at this stage itself.

5. Mr Mohit Mathur, learned senior counsel, who appears on behalf of the petitioner, makes a limited prayer, which is, that since the petitioner's name was included in the list of successful candidates only on 21.03.2024 [i.e., the date when the said notice was published], the date fixed for holding the examination should be shifted to enable the petitioner and the candidates similarly circumstanced to prepare for the examination.

6. Ms Priya, on the other hand, says that the respondent needs to conclude the entire exercise by 05.08.2024, in view of the directions contained in the judgment of the Supreme Court rendered in ***Malik Mazhar Sultan & Anr vs Uttar Pradesh Public Service Commission and Others*** (2008) 17 SCC 703.

7. It is not disputed by Ms Priya that several writ actions were instituted by the examinees *qua* the answer keys framed by the respondent.

7.1 It is also not in dispute that in some of the writ actions, relief was granted. One such judgment dated 20.02.2024, which was passed in W.P.(C) 2344/2024, was carried by the respondent in appeal to the Supreme Court. The said Special Leave Petition [SLP(C) No. 5366/2024] preferred by the respondent was, however, dismissed on 07.03.2024.

8. It is the cumulative effect of these events which led to the shifting of dates fixed for final examination in the first instance to 09.03.2024 and 10.03.2024.

8.1 Likewise, the decision in other writ actions has led to the publication of a list of successful candidates, as noticed above, on 21.03.2024.

9. We are informed that, presently, the final examinations are slated to be held on 30.03.2024 and 31.03.2024.



10. Thus, having regard to the concerns expressed on behalf of the petitioner and the candidates similarly circumstanced, as also the urgency expressed by the respondent, we are inclined to direct the respondent to shift the date of examination by about 12 days.

11. It is ordered accordingly. Since we are told that examinations are usually held on the second Saturday and the succeeding Sunday of the month, the subject examination will be conducted on 13.04.2024 and 14.04.2024.

12. The petition is disposed of in the aforesaid terms.

RAJIV SHAKDHER, J

AMIT BANSAL, J

MARCH 22, 2024

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